

DEPARTMENT OF JUSTICE

TO Mr. Marshall

REMARKS:

Oct. 18, 1963

☐ ATTORNEY GENERAL☐ EXECUTIVE ASSISTANT☐ OFFICE OF PUBLIC INFORMATION☐ DEPUTY ATTORNEY GENERAL☐ EXECUTIVE OFFICE—U. S. ATTORNEYS☐ EXECUTIVE OFFICE—U. S. MARSHALS☐ SOLICITOR GENERAL☐ ADMINISTRATIVE DIVISION☐ LIBRARY☐ ANTITRUST DIVISION☐ CIVIL DIVISION☐ CIVIL RIGHTS DIVISION☐ CRIMINAL DIVISION☐ INTERNAL SECURITY DIVISION☐ LANDS DIVISION☐ TAX DIVISION☐ OFFICE OF LEGAL COUNSEL☐ OFFICE OF ALIEN PROPERTY☐ BUREAU OF PRISONS☐ FEDERAL PRISON INDUSTRIES, INC.☐ FEDERAL BUREAU OF INVESTIGATION☐ IMMIGRATION AND NATURALIZATION SERVICE☐ PARDON ATTORNEY☐ PAROLE BOARD☐ BOARD OF IMMIGRATION APPEALS☐ ATTENTION: _____☐ SIGNATURE☐ APPROVAL☐ RECOMMENDATION☐ COMMENT☐ NECESSARY ACTION☐ YOUR INFORMATION.☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____☐ PREPARE REPLY FOR THE SIGNATURE OF _____☐ NOTE AND RETURN☐ SEE ME☐ PER CONVERSATION☐ AS REQUESTED☐ NOTE AND FILE☐ CALL ME

Mr. Marshall:

Attached is Sam Rosenman's draft of a statement of purposes for the Tweed-Segal Committee. It does not commit the Committee to active counseling and representation. I will try to turn this some tomorrow. If you have suggestions don't hesitate to phone them in.

L.F.O.

FROM ASSISTANT ATTORNEY GENERAL

Tax Division

DEPARTMENT OF JUSTICE

TO

- ☐ ATTORNEY GENERAL
☐ EXECUTIVE ASSISTANT
☐ OFFICE OF PUBLIC INFORMATION
☐ DEPUTY ATTORNEY GENERAL
☐ EXECUTIVE OFFICE—U. S. ATTORNEYS
☐ EXECUTIVE OFFICE—U. S. MARSHALS
☐ SOLICITOR GENERAL
☐ ADMINISTRATIVE DIVISION
☐ LIBRARY
☐ ANTITRUST DIVISION
☐ CIVIL DIVISION
☒ CIVIL RIGHTS DIVISION
☐ CRIMINAL DIVISION
☐ INTERNAL SECURITY DIVISION
☐ LANDS DIVISION
☐ TAX DIVISION
☐ OFFICE OF LEGAL COUNSEL
☐ OFFICE OF ALIEN PROPERTY
☐ BUREAU OF PRISONS
☐ FEDERAL PRISON INDUSTRIES, INC.
☐ FEDERAL BUREAU OF INVESTIGATION
☐ IMMIGRATION AND NATURALIZATION SERVICE
☐ PARDON ATTORNEY
☐ PAROLE BOARD
☐ BOARD OF IMMIGRATION APPEALS
☐ ATTENTION: _____

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REMARKS:

Oct. 11, 1963
Mrs. Marshall

Attached is Sam Rosenman's draft of a statement of purposes for the Truist Segol Committee. It does not commit the Committee to active counselling and representation. I will try to turn this same language. If you have suggestions send letters to plane them in.
[Signature]

FROM ASSISTANT ATTORNEY GENERAL

Tax Division

Mr. O.

This is Judge Rosenman's
draft -

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October 16, 1963

October 8, 1963

Report by Program Committee
on Proposed Program for the
Lawyers' Committee for Civil Rights Under Law

To the Executive Committee

We assume that when the President requested the formation of this new and special Committee of Lawyers he had in mind that it would perform functions:

1. which would naturally fall within the special competence of lawyers as lawyers, or
2. which could be performed by lawyers as citizens better than by other kinds of citizens.

We further assume that he did not intend to assign functions to this Committee which some other agency, private or public, was already performing competently.

On these assumptions we recommend as a program:

I. That, as a general proposition, this Committee do not try to duplicate or supplement the work which other experienced groups like, for example, the NAACP Legal Defense and Educational Fund, Inc., are now doing competently.

A. This means that, except as hereinafter stated, we should not attempt to supply or supervise

~~individual and individual persons whose civil rights~~
are being violated.

B. However, many lawyers have already volunteered to this Committee to serve as counsel in such individual cases. We should encourage such volunteering, and seek, through State, City and County Bar Associations throughout the United States, to bring about more volunteering for this purpose.

- a. Most of these lawyers will be inexperienced in this type of case -- especially in the kind of atmosphere which they will find in the State courts of the South.
- b. Therefore they should be recommended for training in one of the law schools or associations which conduct classes and clinics for instruction in practice and substantive law in this highly specialized field. They should then be assigned to cases by such school or association and supervised by it.
- c. Our Committee should restrict itself in this field to recommending volunteers and to assisting in obtaining financial support for such clinics to cover the cost of its volunteers.

11. In all of the functions outlined in this memorandum we should decentralize the work as much as possible into the State and local Bar Associations which are willing or can be persuaded to undertake these responsibilities and duties in their separate localities. To this end, this Committee should induce each Bar Association to cooperate in the program here outlined, and to adopt resolutions committing themselves to perform the duties herein detailed.

Specifically, this Committee should recommend and urge that:

1. Bar Associations, local and State, should issue pronouncements advocating full compliance with final orders of a court.
2. They should conduct educational campaigns on State and local levels to persuade citizens of the need to comply promptly with such orders.
3. They should arrange for their members to talk to local lay groups about the supremacy of law and the duty of every citizen to comply with the courts' decisions.
4. They should spread the legal doctrine that the decisions of the Supreme Court of the United States

tion.

5. They should answer inaccurate statements of the law in this field made by public officials or lawyers in their communities.

6. They should file amicus briefs in important civil rights cases with the acquiescence of the attorneys involved in the case.

III. That the Committee, as lawyers, should be ready:

A. To furnish public speakers in any part of the country on civil rights subjects.

B. To promote respect for the judiciary by defending judges whose decisions and opinions in this field may be unpopular in their communities.

C. To furnish, through volunteers, expert assistance from law schools and leading law offices in legal research, legal scholarship and brief writing, particularly in the Supreme Court of the United States and on new constitutional theories and new approaches.

D. To arrange for the writing and publication of articles and pamphlets, where appropriate, in the field of civil rights.

or legal commentary about the law in this field,
such as the recent statements by Governor Wallace
of Alabama and his legal advisers.

F. To make public statements at appropriate times, and
from time to time, on the necessity of upholding the
law of the land as enunciated by the Supreme Court.

G. Generally, to do as a national body, and on appropriate
occasions, the specific things outlined in paragraph II,
especially when the local and State Bar Associations
decline to do so.

IV. That this Committee, composed as it is of lawyers of
prestige in various parts of the United States, should be
willing and ready, where emergencies arise, to call upon
the public law enforcement agencies of the United States,
the various States and their subdivisions for the physical
protection of American citizens seeking to obtain civil
rights guaranteed to them by law.

A. For this purpose, each State and local Bar Association
should be requested to set up committees of its lead-
ing lawyers to whom our Chairmen or Executive Secretary
could immediately and directly refer distress requests
which may come to this Committee for emergency action.
An example of this was the rioting in the suburb of

Philadelphia which was held to a minimum by the quick but protracted efforts of our Co-Chairman, Mr. Bernard Segal. Emergency committees like this should exist in every community and their names, addresses and phone numbers should be filed with our Committee for instantaneous reference.

- V. To do all it can to remove all forms of racial discrimination in all Bar Associations and Legal Societies in the United States.
- VI. That this Committee, as lawyers, should directly intervene, in any manner advisable, preferably through its local members, in any situation where there is involved some interference with a lawyer's right to practice law or to protect adequately the interests of his client in a civil rights matter. An example of this kind of obstruction arose recently in Farmville, Va., involving a Harvard Law School student.
- VII. In order to meet these duties and spread the effort numerically as well as geographically, the membership of the Committee should be greatly increased in those States where the issue is acute.
- VIII. To urge law firms to employ qualified Negro lawyers as readily as equally qualified white lawyers.

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IX. Stimulate local Bar Associations or if that is impossible, other local organizations, to provide under their auspices, public discussions and forums in their own local buildings, if possible, or in other public or semi-public buildings.

At these forums (non-segregated) carefully selected speakers should discuss the "pros and cons" of all phases of this issue, as, e.g.:

1. Quota systems for employing Negroes.
2. Correcting de facto segregation in public schools.
3. President's Civil Rights Bill.
4. etc., etc.

This will serve to bring all these controversial issues into the open for discussion instead of permitting them to smolder under the surface.

X. Provide one or more annual awards for lawyers in the South and elsewhere who have distinguished themselves for courage in this field at great professional and personal risk to themselves. The President should be asked to confer these awards in our name at the White House.

XI. Make periodic reports to the President, with recommendations, if any, for official action by the Executive and

Legislative Branches. Annual meetings with the President at the White House would serve to increase the prestige and effectiveness of the Committee.

XII. Constant liaison should be maintained with other national groups working in the general area of civil rights.

The foregoing program arises primarily from the fact that the members of this Committee are all lawyers; and it is a plan of action for it as lawyers.

We believe, however, that an even more important task for this Committee arises from the fact that it is composed of citizens, who by virtue of their local (and even national) prestige can, and do, exercise leadership as citizens among their fellow citizens in their respective communities.

How can they best exercise their local leadership in this field?

I. The chief objective should be to get racial strife off the streets and out of the control of mobs, into a room where both sides can sit down to air their views face to face, and come to some agreement as to a course of action. This cannot be done unless a bi-racial committee which is so constituted as to command the respect of both races takes the leadership. One of the reasons for picket lines, sit-ins, rock-throwing and other violence is that in

many communities, especially in the South, there are no other avenues of communication between the two races. If a door can be opened to free and quiet communication between them under the auspices of a respected committee composed equally of both races, a path will be provided to peace and understanding. This has been shown to be true by successful experience in such places as Cambridge, Md.

This kind of discussion, mediation and agreement will take more time, patience, effort and skill, and it will be less dramatic than some of the other parts of this program. But in the long run it will be more effective and produce more lasting results. We are sure that the President had this long-range objective in mind for this Committee -- which, by reason of its composition, is better equipped to do this than any other private or public group.

The Committee through its leading local members should immediately foster the formation of such bi-racial committees in every community possible in the South. We emphasize the South, because it will be seldom indeed in that section of the country that the local political leaders -- the Mayor or the Governor for example -- will make a conscientious effort to organize an impartial, representative bi-racial committee to obviate discrimination in education, jobs, housing and public facilities. Therefore this vacuum of leadership should be filled by our leading lawyers by organizing such groups in their communities -- and we should encourage our local members to do so.

II. The possible role of such committees in our Northern communities is not quite so clear. There the political leaders, whether activated by thoughts of vote-getting or by conscientious solicitude, or by a combination of both, become very active as soon as protests come from Negroes seeking equality of job opportunities, better housing and schools. Where, as in New York, the Governor and the Mayor are both active in getting bi-racial groups to meet, it is doubtful whether we should try to compete or even supplement these efforts.

However, wherever there is conflict or the possibility of conflict in Northern communities, and no leadership has been taken by the political leaders, we should take the leadership through the formation by our members of bi-racial committees for those communities.

III. What can these bi-racial committees do? They can tackle as mediators the immediately pressing problems -- such as discrimination in public-place accommodations, equality of opportunities in labor unions and discrimination in private non-union employment.

IV. But even more importantly, they can begin on the long-range problems of better education and vocational training for Negroes to equip them more adequately for highly skilled jobs -- manual, white-collar, supervisory, academic and professional jobs. They can stimulate equality in Negro vocational training. At present, especially in the South, Negro vocational training is

still along the lines of shoemaking and similar trades, whereas vocational training for the whites is in such fields as electronics, television, dental, mechanics, etc. This is also true to some extent in the North. Negroes should be encouraged and given the opportunities for training in something other than menial tasks at one end, or the higher professions at the other. Those who are qualified should also be educated and trained in the highly skilled trades. Success in this endeavor would solve many of the other problems and grievances. A decent, well-paid job will solve many of the other points of dispute. This, too, is a long-range program, but we can accelerate it and its beneficent results by the use of these bi-racial committees whose members will understand the local problems and the local personalities better than anyone else.

V. Lawyers, as leaders, should also stimulate their local Boards of Education to include courses in civil rights in all its phases in the public and private high schools, so that the next generation will not be as ignorant of the issues involved as is this generation.

Respectfully submitted,

COMMITTEE ON PROGRAM

Bruce Bromley, Esq.

William R. Ming, Esq.

William P. Rogers, Esq.

Samuel I. Rosenman, Esq., Chairman

U. S. DEPARTMENT OF JUSTICE
INTER OFFICE COMMUNICATION

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